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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-11-0905 SBA
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO CONTINUE STATUS
v.	)	HEARING TO DECEMBER 16, 2014
	)	
SYLVESTER MOORE,	)	
	)	Date: October 7, 2014
	)	Time: 9:30 a.m.
Defendant.	)	Court: Hon. Kandis A. Westmore
	)	
	)	

The above-captioned matter is set on October 7, 2014 before this Court for a status hearing. The parties request that this Court vacate that date and set this matter for status hearing on December 16, 2014 at 9:30 a.m and that the Court exclude time under the Speedy Trial Act between the date of this stipulation and December 16, 2014. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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STIP. REQ. TO CONTINUE SENTENCING HEARING  
NO. CR-11-0905 SBA

This continuance will allow the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. Counsel for Sylvester Moore has recently been appointed, and needs additional time to research legal issues involved in the case. Counsel for the government will begin a money laundering trial on November 10, 2014 that is expected to last up to two weeks.

As such, the parties respectfully request that the time between the date of this stipulation and December 16, 2014 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv). Additionally the parties request that the Court excuse Moore's appearance at the next hearing, pursuant to Rule 43(b)(3), for a status conference.

DATED: October 6, 2014

Respectfully submitted,


MELINDA HAAG United States Attorney  <u>/s/ Christina McCall</u> CHRISTINA McCALL Assistant U. S. Attorney	<u>/s/ Jerry Fong</u> JERRY FONG Attorney for Sylvester Moore
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### ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties and continuity of counsel, and in the interest of justice, pursuant to 18 U.S.C. sections 3161(h)(7)(A) and (B)(iv), an exclusion of time is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT the hearing is continued until December 16, 2014 at 9:30 a.m., and time is excluded until December 16, 2014. Defendant Sylvester Moore's appearance at the December 16 hearing is EXCUSED.

IT SO ORDERED.

DATED: 10/6/14

  
The Hon. Kandis A. Westmore  
United States Magistrate Court Judge